

**REMARKS**

Claims 14-16, 21-28 and 31-45 are pending in this application. Claims 15, 16, 21, 23-27 and 31 are amended, claims 17-20, 29 and 30 are cancelled, and claims 34-45 are added.

**The Claimed Invention**

An exemplary embodiment of the invention, as recited by independent claim 14, is directed to a refrigerating unit for installing in a furniture niche, the refrigerating unit comprising a body and a door that enclose a thermally insulated inside compartment, the door being pivotally mounted to the body for pivotal movement about an axis between an open and a closed position, the door projecting beyond a front edge of the furniture niche when the refrigerating unit is installed in the furniture niche.

Another exemplary embodiment of the invention, as recited by independent claim 27, is directed to a refrigerating unit with a door that includes a receiving area that is outside of the body inside area when the door is in the closed position.

Yet another exemplary embodiment of the invention, as recited by independent claim 37, is directed to a refrigerating unit and furniture niche combination where the refrigerating unit has a door that includes a receiving area that is outside of the body inside area when the door is in the closed position.

Built-in refrigerators often have a shallower depth than traditional free standing refrigerators so that they blend in with the surrounding cabinets. This leads to a smaller internal volume compared to a traditional free standing refrigerator of a given frontal area. The receiving area feature of claim 27 provides additional refrigerated space, which can be very beneficial to shallow built-in refrigerating units.

Some conventional refrigerating units that are for installing in a furniture niche have a door that is mounted to the furniture niche and not the body of the refrigerating

unit. Other conventional refrigerating units do not have the door projecting beyond a front edge of the furniture niche.

An object of the invention is to provide a built-in refrigerating unit whose built-in location in a furniture front can be easily identified. Another object of the invention is to provide a built-in refrigerating unit where a large volume of the inside compartment can be achieved without loss of insulation quality.

Both of these objects are achieved by a refrigerating unit with a door that includes a receiving area that is outside of the body inside area when the door is in the closed position, with the door projecting beyond a front edge of the furniture niche when the refrigerating unit is installed in the furniture niche.

**Figure 1**

In the Office Action, claims 14, 15, 27, 28 and 33 were rejected under 35 U.S.C. §102(b) as being unpatentable over the admitted prior art shown in Figure 1. Applicants respectfully traverse the rejection.

Claim 14 includes the feature of the door being mounted to the body and projecting beyond a front edge of the furniture niche. As defined by the specification in paragraph 007, “projecting beyond a front edge of the furniture niche” means that the door projects far enough that the decorative panel covering the door projects further than the doors of cupboard elements adjacent to the furniture niche of the refrigerating unit.

In contrast, Figure 1 does not show cupboard elements adjacent to the furniture niche of the refrigerating unit.

Claims 15, 27, 28 and 33 include the feature of a door including a receiving area that is outside of the body inside area when the door is in the closed position. In contrast, Figure 1 does not disclose any receiving area in door 7.

In view of the foregoing, Applicants respectfully submit that Figure 1 does not disclose each and every feature of claims 14, 15, 27, 28 and 33 and, therefore, rejection

under 35 USC §102(b) is inappropriate. As a result, Applicants respectfully request withdrawal of the rejection.

**The Osborn Reference**

In the Office Action, claims 14-33 were rejected under 35 U.S.C. §102(b) as being unpatentable over “Finding the Right Refrigerator” by Roe Osborn. Applicants respectfully traverse the rejection.

Claim 14 includes the feature of the door being mounted to the body and projecting beyond a front edge of the furniture niche. As defined by the specification in paragraph 007, “projecting beyond a front edge of the furniture niche” means that the door projects far enough that the decorative panel covering the door projects further than the doors of cupboard elements adjacent to the furniture niche of the refrigerating unit.

In contrast, Osborn does not show cupboard elements adjacent to the furniture niche of the refrigerating unit.

Claims 27 and 37 include the feature of a door including a receiving area that is outside of the body inside area when the door is in the closed position. In contrast, the photograph on page 99 of Osborn shows that when the door is closed, the shelves attached to the door project into the space inside the body of the refrigerator. As a result, even if the shelves could be considered a receiving area of the door, they cannot be the claimed receiving area because they are not out side of the body inside area of the refrigerator when the door is closed.

Claims 15, 16, 21-26, 28 and 31-33 depend from either claim 27 or claim 37. Claims 17-20, 29 and 30 are cancelled.

In view of the foregoing, Applicants respectfully submit that Osborn does not disclose each and every feature of claims 14-33 and, therefore, rejection under 35 USC §102(b) is inappropriate. As a result, Applicants respectfully request withdrawal of the rejection.

**The Alexander Reference**

In the Office Action, claims 14-33 were rejected under 35 U.S.C. §102(b) as being unpatentable over “Hide that Ugly Refrigerator” by Rex Alexander. Applicants respectfully traverse the rejection.

Claim 14 includes the feature of the door being mounted to the body and projecting beyond a front edge of the furniture niche. As defined by the specification in paragraph 007, “projecting beyond a front edge of the furniture niche” means that the door projects far enough that the decorative panel covering the door projects further than the doors of cupboard elements adjacent to the furniture niche of the refrigerating unit.

In contrast, Alexander does not show cupboard elements adjacent to the furniture niche of the refrigerating unit.

Claims 27 and 37 include the feature of a door including a receiving area that is outside of the body inside area when the door is in the closed position. In contrast, Alexander does not show any receiving area of a door.

Claims 15, 16, 21-26, 28 and 31-33 depend from either claim 27 or claim 37. Claims 17-20, 29 and 30 are cancelled.

In view of the foregoing, Applicants respectfully submit that Alexander does not disclose each and every feature of claims 14-33 and, therefore, rejection under 35 USC §102(b) is inappropriate. As a result, Applicants respectfully request withdrawal of the rejection.

**The de Marsillac Plunkett Reference**

In the Office Action, claims 14, 15 and 17-33 were rejected under 35 U.S.C. §102(b) as being unpatentable over U.S. Patent No. 6,079,216 to de Marsillac Plunkett. Applicants respectfully traverse the rejection.

Claim 14 includes the feature of the door being mounted to the body and projecting beyond a front edge of the furniture niche. As defined by the specification in paragraph 007, “projecting beyond a front edge of the furniture niche” means that the door projects far enough that the decorative panel covering the door projects further than the doors of cupboard elements adjacent to the furniture niche of the refrigerating unit.

In contrast, de Marsillac Plunkett does not show cupboard elements adjacent to the furniture niche of the refrigerating unit.

Claims 27 and 37 include the feature of a door including a receiving area that is outside of the body inside area when the door is in the closed position. In contrast, de Marsillac Plunkett does not show any receiving area of a door.

Claims 15, 21-26, 28 and 31-33 depend from either claim 27 or claim 37. Claims 17-20, 29 and 30 are cancelled.

In view of the foregoing, Applicants respectfully submit that de Marsillac Plunkett does not disclose each and every feature of claims 14, 15 and 17-33 and, therefore, rejection under 35 USC §102(b) is inappropriate. As a result, Applicants respectfully request withdrawal of the rejection.

### **The Mun Reference**

In the Office Action, claims 14-33 were rejected under 35 U.S.C. §102(b) as being unpatentable over U.S. Patent No. 4,790,146 to Mun. Applicants respectfully traverse the rejection.

Claim 14 includes the feature of the door being mounted to the body and projecting beyond a front edge of the furniture niche. As defined by the specification in paragraph 007, “projecting beyond a front edge of the furniture niche” means that the door projects far enough that the decorative panel covering the door projects further than the doors of cupboard elements adjacent to the furniture niche of the refrigerating unit.

In contrast, Mun does not show cupboard elements adjacent to the furniture niche of the refrigerating unit.

Claims 27 and 37 include the feature of a door including a receiving area that is outside of the body inside area when the door is in the closed position. In contrast, Fig. 1 of Mun shows that when the door is closed, the shelves attached to the door project into the space inside the body of the refrigerator. As a result, even if the shelves could be considered a receiving area of the door, they cannot be the claimed receiving area because they are not out side of the body inside area of the refrigerator when the door is closed.

Claims 15, 16, 21-26, 28 and 31-33 depend from either claim 27 or claim 37. Claims 17-20, 29 and 30 are cancelled.

In view of the foregoing, Applicants respectfully submit that Mun does not disclose each and every feature of claims 14-33 and, therefore, rejection under 35 USC §102(b) is inappropriate. As a result, Applicants respectfully request withdrawal of the rejection.

### **The Cherry Reference**

In the Office Action, claims 14-33 were rejected under 35 U.S.C. §102(b) as being unpatentable over U.S. Patent No. 5,358,326 to Cherry. Applicants respectfully traverse the rejection.

Claim 14 includes the features of the door being mounted to the body and projecting beyond a front edge of the furniture niche. As defined by the specification in paragraph 007, “projecting beyond a front edge of the furniture niche” means that the door projects far enough that the decorative panel covering the door projects further than the doors of cupboard elements adjacent to the furniture niche of the refrigerating unit.

In contrast, Cherry does not show a furniture niche. Further, Cherry does not show a door that projects beyond a front edge of the furniture niche. Cherry specifically

states that its invention fills a need for flexible mounting arrangements so that the front of the refrigerator is essentially even with the front of the adjacent kitchen counters and cabinets.

Claims 27 and 37 include the feature of a door including a receiving area that is outside of the body inside area when the door is in the closed position. In contrast, Cherry does not show any receiving area of a door.

Claims 15, 21-26, 28 and 31-33 depend from either claim 27 or claim 37. Claims 17-20, 29 and 30 are cancelled.

In view of the foregoing, Applicants respectfully submit that Cherry does not disclose each and every feature of claims 14-33 and, therefore, rejection under 35 USC §102(b) is inappropriate. As a result, Applicants respectfully request withdrawal of the rejection.

### **New Claims**

New claims 37-45 are directed to a refrigerating unit and furniture combination and include the feature of a door including a receiving area that is outside of the body inside area when the door is in the closed position.

This and other features of claims 37-45 are not taught or suggested by the applied references.

**CONCLUSION**

In view of the above, entry of the present Amendment and allowance of claims 14-16, 21-28 and 31-45 are respectfully requested. If the Examiner has any questions regarding this amendment, the Examiner is requested to contact the undersigned. If an extension of time for this paper is required, petition for extension is herewith made.

Respectfully submitted,

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